

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BRADLEY L. WYCKOFF,

6:12-CV-01861-JE

Plaintiff,

ORDER

v.

CAROLYN W. COLVIN, Acting
Commissioner, Social Security,
Administration,¹

Defendant.

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#19) on April 1, 2014, in which he recommends the Court reverse the Commissioner's decision denying Plaintiff's

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as Defendant in this case. No further action need be taken to continue this case by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405. Procedure 72(b).

applications for disability insurance benefits and supplemental security income and remand this matter to the Commissioner for an award of benefits. Defendant filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*).

This Court has carefully considered Defendant's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#19). Accordingly, the Court **REVERSES** the Commissioner's decision and **REMANDS** this matter to the

Commissioner for an award of benefits.

IT IS SO ORDERED.

DATED this 6th day of June, 2014.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge